

ZB# 00-18

Domingo Marciano

48-2-20

#00-18- Marciano, Domingo

48-2-20

~~Grant~~ Use
Interp.

Mem.

May 22, 2000
App. furnished
to Mike H.

~~See Q.R.?~~
Area / ~~Interp.~~

Photos - none.

4:15 p.m.
notice to newspaper 6/1/00.

Public Hearing:

June 26, 2000.

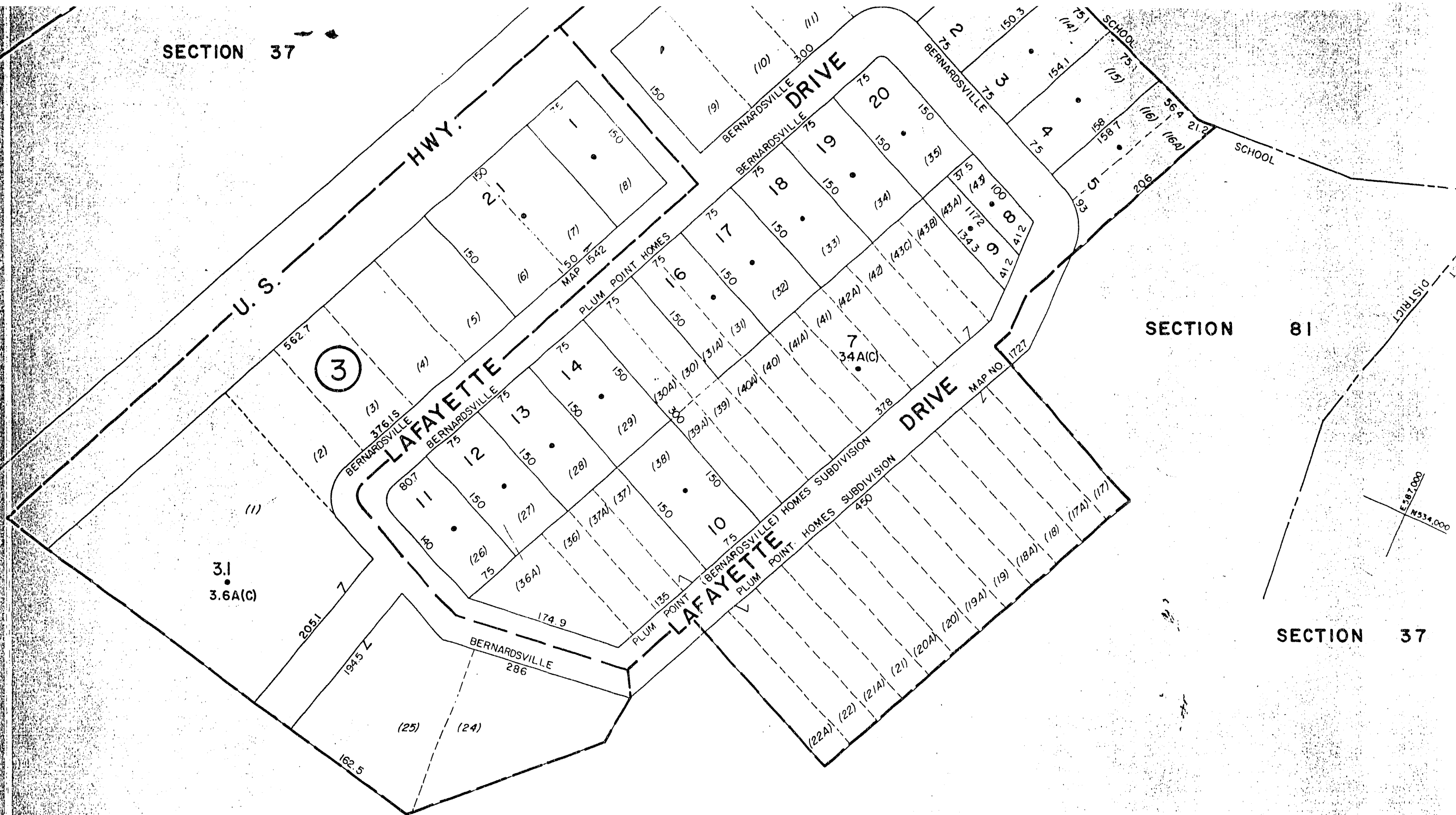
Granted

Refunded

\$171.50

Priscilla -
565-6690 X 214

SECTION 37



LEGEND

TAX MAP BLOCK NO.	④	FILED PLAN BLOCK NO.	② ④
TAX MAP PARCEL NO.	32	FILED PLAN LOT NO.	(13)
AREAS (Dead) 11.1A; (Calculated) 11.6A(C)		STATE HIGHWAYS N.Y. STATE HWY. NO. 17	
DIMENSIONS (Dead) and (Calculated) per		COUNTY HIGHWAYS COUNTY HWY. NO. 4	
		TOWN HIGHWAYS	

ORANGE COUNTY~NEW YORK

Photo No: 14-31,32,33

Date of Photo: 3-1-65

Date of Map: 9-24-67

Date of Revision: 1-1-68

Scale: 1" = 100'

TOWN

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Marcos, Domingo.

FILE# 00-18.

RESIDENTIAL: \$50.00
(INTERPRETATION: \$150.00)

COMMERCIAL: \$150.00

AREA _____

USE _____

APPLICATION FOR VARIANCE FEE \$ 50.00

*

*

*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 5/22/00-7 \$ 31.50
2ND PRELIMINARY- PER PAGE 6/26/00-16 \$ 27.00
3RD PRELIMINARY- PER PAGE \$ _____
PUBLIC HEARING - PER PAGE \$ _____
PUBLIC HEARING (CONT'D) PER PAGE \$ _____

TOTAL \$ 58.50

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 5/22/00 \$ 35.00
2ND PRELIM. 6/24/00 \$ 35.00
3RD PRELIM. \$ _____
PUBLIC HEARING. \$ _____
PUBLIC HEARING (CONT'D) \$ _____

TOTAL \$ 70.00

MISC. CHARGES:

..... \$ _____

TOTAL \$ 128.50

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$ _____
REFUND DUE TO APPLICANT . \$ 171.50

paid ck #
2260
6/13/00
" #2259

ALEJANDRINA MARCANO
DOMINGO MARCANO
 53 LAFAYETTE DR.
 NEW WINDSOR, NY 12553


29-7003/2213
 468

2259

Date 6/07/00 A.m.

Pay to the Order of Town of New Windsor \$ 300.00

Three Hundred Fifty A.m. Dollars

 **ALBANK**
 Newburgh/Broadway Branch
 A Division of Charter One Bank

For ZBA # 00-18 Alejandrina Marciano

⑆221370030⑆ ⑈4680018900⑈ 2259

© Clarke American GUARDING SAFETY GREEN WGN

ALEJANDRINA MARCANO
DOMINGO MARCANO
 53 LAFAYETTE DR.
 NEW WINDSOR, NY 12553


29-7003/2213
 468

2260

Date 6/07/00

Pay to the Order of Town of New Windsor \$ 50.00

Fifty 00/100 Dollars

 **ALBANK**
 Newburgh/Broadway Branch
 A Division of Charter One Bank

For ZBA # 00-18 Alejandrina Marciano

⑆221370030⑆ ⑈4680018900⑈ 2260

© Clarke American GUARDING SAFETY GREEN WGN

-----X
In the Matter of the Application of

DOMINGO MARCANO

#00-18.
-----X

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE &
INTERPRETATION**

WHEREAS, DOMINGO MARCANO, residing at 53 Lafayette Drive, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 40 ft. 6 in. front yard variance for existing deck and interpretation of existing single-family residence at 53 Lafayette Drive an R-5 zone; and

WHEREAS, a public hearing was held on the 26th day of June, 2000 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant was represented by Michele Lee Neusch, Esq.; and

WHEREAS, there were two spectators appearing at the public hearing; and

WHEREAS, one spectator spoke regarding the interpretation question and was satisfied when the Applicant's attorney stated that the residence would be single-family only; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.

(b) The Applicants are the contract-purchasers of the house.

(c) The house had a finished basement but has no locked-off area and is operated internally as a one-family home.

(d) The property has always been operated as a single-family home and the Applicant seeks to operate it as a single-family home in the future.

(e) The house has a deck on it which has been in existence for approximately ten years and is similar to other decks in the neighborhood.

(f) The property is so located that it has two front yards although it appears visually only to have a front yard and two side yards.

(g) It is necessary to have the deck on the property because anybody exiting the house would probably suffer serious injury through a fall if the deck were not there.

(h) The deck is not constructed on top of any well or septic system, any sewer easement or water easement.

(i) The deck does not interfere with the course of water drainage or cause any ponding or collection of water.

WHEREAS, the Zoning Board of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The home as it exists as it has been used and as it will be used is a one-family home.
2. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
3. There is no other feasible method available to the Applicant which can produce the benefits sought.
4. The variance requested is substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.
5. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
6. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
7. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
8. The requested variance is appropriate and the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

9. The interests of justice will be served by allowing the granting of the requested area variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 40 ft. 6 in front yard variance for existing deck and interpretation that a single-family home exists at 53 Lafayette Drive, in an R-5 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: September 11, 2000.


Chairman

Date _____

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO

DR.

CLAIMED

ALLOWED

Refund of Escrow Deposit
00-18

\$17.50

Approved: Patricia A. Corsetti
BBA

Date 7/18/60, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553TO Frances Roth DR.
168 N. Drury Lane
New Windsor, NY 12550

DATE			CLAIMED	ALLOWED
6/30/60	Zoning Board Mtg			75 00
	Misc - 2			
	Red/Guardian - 3			
	Lesio - 1			
	Young - 3			
	Choe/Days Inn - 2			
	Czepiel - 3			
	Kelly - 4			
	Lahey - 2			
	Bila - 15			
	Don Marciano - 6 \$27.00			207 00
	Reynolds - 6 = 46			
				282 00

DOMINGO MARCANO

MR. NUGENT: Request for 40 ft. 6 in. front yard variance for existing deck and interpretation of existing single-family residence at 53 Lafayette Drive in an R-5 zone. Is there anyone here for Domingo Marcano, other than the applicant? Would you like to sign in, please?

MS. CORSETTI: For the record, I have 22 letters that went out to adjacent property owners on June 13.

Michele Lee Neusch, Esq. appeared before the board for this proposal.

MS. NEUSCH: Okay, good evening, gentlemen, the Marcamos are seeking an interpretation as to what one family residence, the home when they purchased it in 1987, had finished basement, it was handicapped accessible, while the prior owners had a family member who's a relative who's handicapped. There is, I believe, a diagram, I don't know whether or not it's presented of the area in question, does everyone have a copy? There's a diagram clearly demonstrates there's no privacy, this area, the large area that's sort of to the left of the kitchen, my left, anyway, the kitchen area has no door, the stairs at the top of the stairs is Mrs. Marcano's kitchen, there's a clear sliding door there, there's no way to lock that. The Marcamos have never rented it. They purchased it as single family home, they have listed it as single family home, in fact, have a purchaser who's willing to purchase the home as a single family home. Additionally, they use the kitchen and the laundry room, it's the only laundry room on the premises. And they are the sole occupants currently on the premises.

MR. KRIEGER: It's now a single family home, it's always been run as a single family home and they seek to run it as a single family home in the future?

MS. NEUSCH: Yes.

MR. TORLEY: And the purchasers would so stipulate?

MS. NEUSCH: Yes, they would, and I would hand a copy of the listing for this premises which states that it is listed as a single family home.

MR. KANE: They have lived there, one electrical meter coming into the house?

MS. NEUSCH: One, yes.

MR. KANE: It's always been that way?

MS. NEUSCH: Yes.

MR. KANE: Any complaints, formal or informal, that you know of as the house being used as a two-family house?

MS. NEUSCH: The only notice of any type of violation was when the premises, when the Marcanos actually received a notice of disapproval with respect to the finished basement, other than that, they have not received any.

MR. KRIEGER: Larry, with respect to the purchasers, the since, it's on the record if the Zoning Board of Appeals should find as a matter of interpretation that that's a one-family house, they are bound by that, it's not a question of they are stipulating to it, they are bound by it.

MR. TORLEY: Okay, want to make sure that they're aware.

MS. NEUSCH: Yes, they are.

MR. REIS: Talk about the deck.

MS. NEUSCH: With regard to the deck, the deck has been I believe photographs that were submitted, the deck has been in existence since 1990. I guess it overshoots the property line, actually where they are allowed to build and they need a variance approximately 40 feet wide to allow for the deck.

MR. KRIEGER: It appears that this house is located in essence on a corner so it has two street frontages,

even though functionally, it has a front yard and side yard, they are by law treated as two front yards.

MS. NEUSCH: That's correct.

MR. KANE: Got it, thank you.

MS. NEUSCH: Additionally, the Marcanos, if they are required to remove the deck, it would certainly detract from the value of the home and it would be expensive for them to have to replace a deck with a deck that actually would fit within the actual deck.

MR. KANE: Having no deck, it would be a safety hazard?

MS. NEUSCH: Yes, it would.

MR. KRIEGER: The deck is not constructed over the top of any well or septic system, any sewer easement or water easement?

MS. NEUSCH: No.

MR. KRIEGER: And it doesn't interfere with the course of water drainage or cause any ponding or collection of water?

MS. NEUSCH: Not that I am aware of.

MR. REIS: Open it up to the public.

MR. NUGENT: Not yet. I think we're going to have do this one again in two pieces.

MR. REIS: Take the interpretation first.

MR. NUGENT: Take the interpretation and then the variance but I will open it up to the public at this time and try not to be repetitious and direct your questions to the Chair, state your name. You can stay right there. State your name so she can get it.

MS. BEYERS: Marsha Beyers, B-E-Y-E-R-S. First, I want to clarify that we live directly next door to the Marcanos, we used to be 18, they used to be 20, our

houses both face the same direction, don't ask me what happened to 55 and 57, when they renumbered the street, there are no 55 and 57, so I wanted to point out that our lots join and our houses are right next door to each other. To tell you the truth, we didn't really know what this meeting was going to be about because the letter here says interpretation as to single family. We have lived at 59, the old 18 for 30 years and all the houses, it's a dead-end street, Lafayette Drive was never completed, it's dead-end on two ends, I don't know what your map shows, but it was never completed. We have no problem with the deck because that's on the other end of the house on the corner. That's at the other end. The bedroom end of the house is outside our kitchen door, as to if I overheard here correctly, they are selling the house as a single family residence, that was our only concern for coming here because the letter said interpretation, we didn't really know the reason for the meeting. All the houses on the street are single families, even though I am well aware that it's zoned two family. But Lafayette Drive has been there since the '50's, there's one duplex that's always been a duplex so we really have no problem with anything that's going on here tonight, if the house is going to be sold as a single family because the previous owners, the Cowans, they are the ones who made the downstairs into a separate apartment. And his grandmother or her grandmother and aunt, I'm not sure which, lived down there. But the house then was sold to the Marcanos as a single family residence, they tried, I have to admit, they tried to sell it and they, not the Marcanos, I'm talking about the Cowans, they had it advertised let your tenant pay the mortgage, they tried to sell it as a two family, that was about ten years ago, but they couldn't then so to my knowledge, it's always been a single family residence. That's all.

MR. NUGENT: Thank you, ma'am.

MR. KRIEGER: And this deck is similar to other decks in the neighborhood, not identical, but other houses?

MS. BEYERS: I have no problem with the deck.

MR. KRIEGER: I understand, I just want to know from you because you're a neighborhood for the record.

MS. BEYERS: There are other decks in the neighborhood, yes, outside.

MR. KRIEGER: Thank you, that's what I was asking, thank you.

MS. SAKEL: I'm the realtor, Priscilla Sakel, I sold the Marciano's house is to a very nice young couple with a new baby, they are very excited to have it and it's going to be a one family home for them.

MR. NUGENT: Any further questions? There's no future questions, I'll close the public helping and open it back up to the board and I think we should address each one individually.

MR. TORLEY: I think as far as interpretation, it's been clear that this is, this has been a single family house intended to be maintained as such.

MR. KANE: I agree and I make a motion for the record that we vote that way.

MR. TORLEY: I will second it.

ROLL CALL

MR. MCDONALD	AYE
MR. REIS	AYE
MR. TORLEY	AYE
MR. KANE	AYE
MR. NUGENT	AYE

MR. NUGENT: Next one is the deck.

MR. KANE: I move that we approve the requested variance for a deck at 53 Lafayette Drive.

MR. REIS: Second it.

ROLL CALL

June 26, 2000

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MR. MCDONALD	AYE
MR. REIS	AYE
MR. TORLEY	AYE
MR. KANE	AYE
MR. NUGENT	AYE

6/26/00 Public Hearing: Marceno, Domingo #00-18

Name:	Address:
Priscilla Sahal	Prudential Rand Realty
Marcia Beyers	59 Lafayette Hs Dr, New Windsor
Ed Beyers	" " " " " "

45-3-6 AMANATIDES, KATHY AREA VARIANCE #98-42 GRANTED 11/09/98
12 CANNON DRIVE R-4 ZONE
REQUEST FOR 5 FT. 6 IN. SIDE YARD AND 6 FT. REAR YARD VARIANCE FOR EXISTING METAL
SHED, AND 7 FT. REAR YARD VARIANCE FOR EXISTING DECK AT 12 CANNON DRIVE IN AN R-4 ZONE.

47-2-5 HUSTED, ROBERT AREA VARIANCE #99-17 GRANTED 06/14/99
7 GARDEN DRIVE R-4 ZONE
REQUEST GRANTED FOR 8 FT. REAR YARD VARIANCE FOR EXISTING ABOVE-GROUND POOL AT
THE ABOVE RESIDENCE.

48-1-3.1 COLONI, RICHARD B. AREA GRANTED ON 05/11/98
3011 ROUTE 9W R-4 ZONE #98-13
REQUEST GRANTED FOR 10 FT. FRONT YARD AND 2 FT. REAR YARD VARIANCE FOR EXISTING
DECKS AT 3011 ROUTE 9W IN AN R-4 ZONE.

48-2-20 MARCANO, DOMINGO INTERPRETATION/AREA GRANTED: 06/26/00
53 LAFAYETTE DRIVE #00-22 R-5 ZONE
REQUEST GRANTED FOR A 40 FT. 6 IN. FRONT YARD VARIANCE FOR EXISTING DECK AND
INTERPRETRATION OF EXISTING SINGLE-FAMILY RESIDENCE AT 53 LAFAYETTE DRIVE. ZBA DETERMINED
THAT THE RESIDENCE IS A SINGLE-FAMILY ONLY AND CANNOT BE USED AS A TWO-FAMILY RESIDENCE.

48-3-2.2 TOYOTA OF NEWBURGH, INC. USE/AREA #85-39 GRANTED
96 ROUTE 9W N.C. FRONT/R-5 REAR 11/85
REQUEST FOR (1) 20 FT. FRONT YARD VARIANCE ON RT. 9W, (2) 20 FT. FRONT YARD ON
LAFAYETTE FOR CONSTRUCTION OF 1 STORY STRUCTURE FOR AUTO SERVICE AND REPAIR, PLUS
(48-2.6.2) 6 FT. BUILDING HEIGHT VARIANCE FOR CONSTRUCTION OF NEW TWO-STORY
STRUCTURE FOR AUTO PARTS SALES AND OFFICE TOGETHER WITH USE VARIANCE FOR CAR
STORAGE IN R-5 ZONE.

48.3.3.1 TOYOTA OF NEWBURGH, INC. SIGN VARIANCE GRANTED
2934 (96) ROUTE 9W #97-41 SIGN VARIANCE 11/24/97

REQUEST FOR 17 FT. SIGN WIDTH VARIANCE FOR FACIA SIGN WHICH WILL BE LETTERS "TOYOTA
NEWBURGH" WITH LOGO ON MAIN BUILDING FACING ROUTE 9W. FOR OTHER VARIANCES PREVIOUSLY
GRANTED, SEE ZBA DISK #11.

48-4-11 WELLER, FRED AREA VARIANCES GRANTED
06/08/98
18 NEE AVENUE #98-20 R-4 ZONE
REQUEST FOR 8 FT. SIDE YARD AND 6 FT. REAR YARD VARIANCE FOR EXISTING 12 X 12 FT.
SHED AT ABOVE RESIDENCE.

49-4-5 VASQUEZ, CARLOS AREA VARIANCES GRANTED
18 PROVOST DRIVE #96-19 R-4 ZONE 07/08/96
REQUEST FOR 1 FT. 7 IN. REAR YARD VARIANCE FOR EXISTING ADDITION AND 1 FT. 6 IN. SIDE
YARD PLUS 3 FT. 4 IN. REAR YARD VARIANCES FOR EXISTING SHED LOCATED AT ABOVE RESIDENCE. ALL
VARIANCES GRANTED.

50-2-13 ANDREWS, RICHARD & RUTH AREA VARIANCE GRANTED

ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

X

In the Matter of the Application for Variance of

Domingo Marciano

00-18.

AFFIDAVIT OF
SERVICE
BY MAIL

X

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at
7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 13 day of June, 20 00, I compared the 22
addressed envelopes containing the Public Hearing Notice pertinent to this case
with the certified list provided by the Assessor regarding the above application
for a variance and I find that the addresses are identical to the list received. I
then caused the envelopes to be deposited in a U.S. Depository within the Town
of New Windsor.

Patricia A. Corsetti

Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(914) 563-4611

**RECEIPT
#452-2000**

06/13/2000

Marcano, Alejandrina

Received \$ 50.00 for Zoning Board Fees, on 06/13/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Dorothy H. Hansen
Town Clerk**



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

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Assessors Office

May 9, 2000

Domingo Marcano
53 Lafayette Drive
New Windsor, NY 12553

Re: 48-2-20

Dear Mr. Marcano,

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook (signature)

Leslie Cook
Sole Assessor

LC/lrd
Attachments

CC: Pat Corsetti, ZBA

Dori Associates, Inc. ✓
PO Box 4097
New Windsor, NY 12553

Myron & Eleanor Rhodes ✓
70 Lafayette Drive
New Windsor, NY 12553

Edward & Marcia Beyers ✓
59 Lafayette Drive
New Windsor, NY 12553

Petro Realty of New York, Inc. ✓
2987 NYS Route 9W
New Windsor, NY 12553

J. Bonanno, M. Piazzola & G. Papera ✓
C/o Allstate Can Corp.
One Wood Hollow Road
Parsippany, NJ 07054

Plum Point Interstate Property Management ✓
2 Carpenter Place
Monroe, NY 10950

Petro Realty of New York, Inc. ✓
111 Route 9W
New Windsor, NY 12553

Dianne Phelan-Merry ✓
47 Lafayette Drive
New Windsor, NY 12553

Joseph & Mary Ellen Sayegh ✓
3011 Route 9W
New Windsor, NY 12553

William & Christine McDonnell ✓
27 Lafayette Drive
New Windsor, NY 12553

Leonard Carpezzi Jr. ✓
PO Box 631
Stony Point, NY 10980

Caroline Corey ✓
820 S. Belair Drive
Inverness, FL 34450

Audrey Valicenti ✓
2956 NYS Route 9W
New Windsor, NY 12553

Paul & Kelly Sevik ✓
15 Lafayette Drive
New Windsor, NY 12553

Newburgh Realty Holding Co., Inc. ✓
2934 Route 9W
New Windsor, NY 12553

Robert & Amelia Llewellyn ✓
13 Lafayette Drive
New Windsor, NY 12553

ABH Corp. of NY ✓
2976 NYS Route 9W
New Windsor, NY 12553

Edward & Katherine Conklin ✓
9 Lafayette Drive
New Windsor, NY 12553

Richard & Irene Pisco ✓
74 Lafayette Drive
New Windsor, NY 12553

Frank & Dorothy Jean Sherman ✓
7 Lafayette Drive
New Windsor, NY 12553

Robert Leroy Crist Jr. ✓
72 Lafayette Drive
New Windsor, NY 12553

Alan & Deborah Nucifora ✓
61 Lafayette Drive
New Windsor, NY 12553

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: April 10, 2000

APPLICANT: Domingo Marciano
53 Lafayette Dr
New Windsor, New York 12553

C/O Attorney Michael Hergenhan
37 Westwood Dr
Newburgh, 12550

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Existing deck

LOCATED AT: 53 Lafayette Dr

ZONE: R-5

DESCRIPTION OF EXISTING SITE: 48-2-20

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing deck built without a permit. Does not meet minimum front yard set-back. This is a corner lot.

COPY

Frank Hill
BUILDING INSPECTOR

PERMITTED 45°

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-5 USE: E-5

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

4'-6"

40-6"

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 210-2000

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises MARCANO, DOMINGO R ALEJANDRINA

Address 53 LAFAYETTE DRIVE Phone 561-7281

Mailing Address N.E.W. WINDSOR NY 12553

Name of Architect N/A

Address _____ Phone _____

Name of Contractor MOSES RODRIGUEZ - DECEASED 1996

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the EAST side of LAFAYETTE DRIVE
(N,S,E or W)
and APPROX. 600 feet from the intersection of LAFAYETTE DRIVE AND RT. 9-W
2. Zone or use district in which premises are situated ~~R-1~~ (R-5) is property a flood zone? Y N X
3. Tax Map Description: Section 48 Block 2 Lot 20
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
- a. Existing use and occupancy SINGLE FAMILY HOME b. Intended use and occupancy N/A
5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒
6. Is this a corner lot? YES EXISTING 168 SQ FT DECK
7. Dimensions of entire new construction. Front 12' Rear 14' Depth _____ Height _____ No. of stories _____
8. If dwelling, number of dwelling units: N/A Number of dwelling units on each floor _____
- Number of bedrooms N/A Baths N/A Toilets N/A Heating Plant: Gas N/A Oil N/A
- Electric/Hot Air N/A Hot Water N/A If Garage, number of cars N/A
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. ACTUAL Estimated cost \$ 1,500.00

Fee \$ 50.00

BUILT IN 1990

IDA

756

04 / 05 / 2000
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

[Signature]
(Signature of Applicant)

53 LAFAYETTE AVE, NY 12553
(Address of Applicant)

[Signature]
(Owner's Signature)

53 LAFAYETTE AVE, NY 12553
(Owner's Address)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

SEE ATTACHED
SKETCH / DRAWING

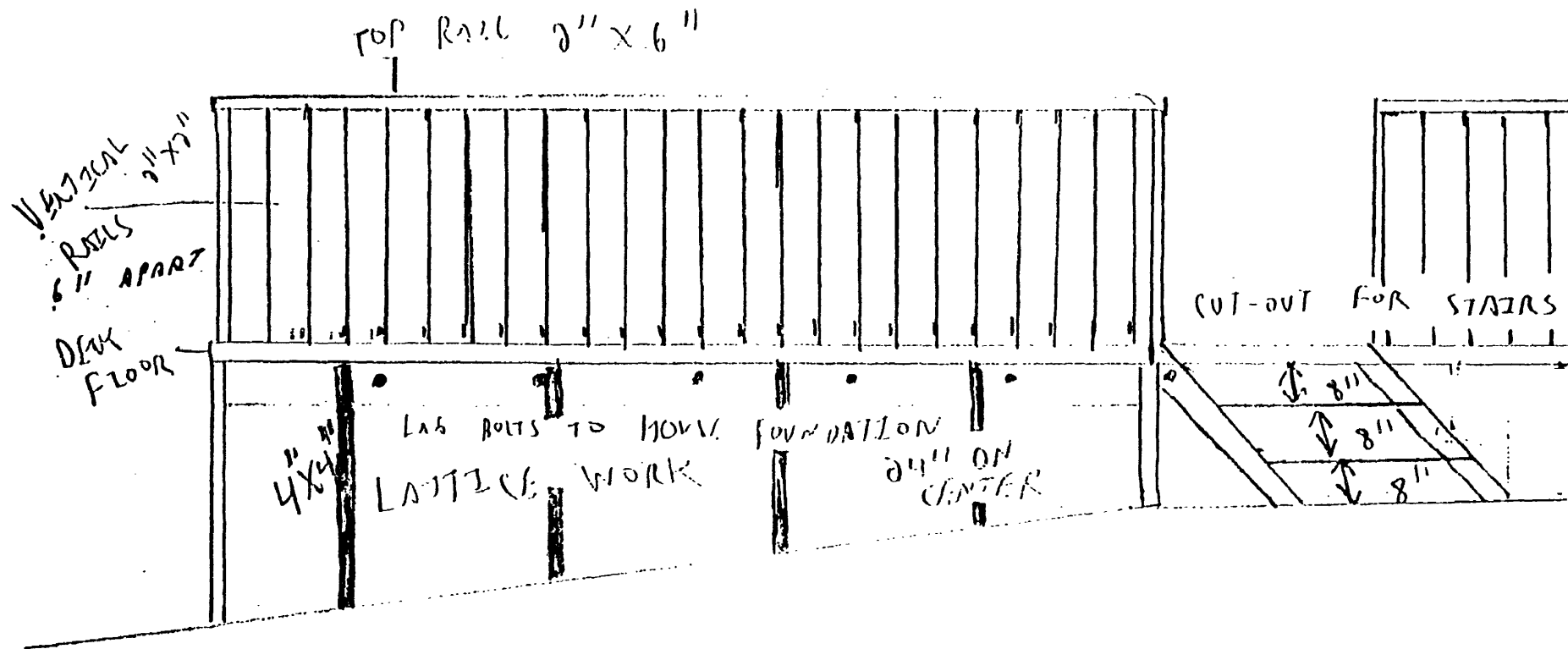
N

W

E

S

1954



PREPARED ON 04/01/2000
BY OWNER

SIDE VIEW
NORTH SIDE OF
DECK

1" = 2'

18' 4"

10' 7"

2'



TOP VIEW
of DECK

12' 5" 21
PREPARED ON 04/04/2000
BY OWNER

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 05/01/00

**APPLICANT: Domingo Marcano
53 Lafayette Dr.
New Windsor, NY 12553**

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Finished Basement (Existing)

LOCATED AT: 53 Lafayette Dr.

ZONE: R-5

DESCRIPTION OF EXISTING SITE: 48-2-20

IS DISAPPROVED ON THE FOLLOWING GROUNDS: Interpretation (Dwelling Unit 2 Family)

1. Existing finished basement with kitchen, bathroom and sleeping facilities appears to constitute a 2 family dwelling. Applicant claims it is not a 2 family dwelling.

\$ 48-12-Col. E

Louis J. Kypreos
BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: USE:

MIN. LOT AREA:

MIN LOT WIDTH:

REQ=D.. FRONT YD:

REQ=D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ=D REAR YD:

REQ=D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: _____

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises MARCANO, DOMENGO & ALEJANDRINA

Address 53 LAFAYETTE DRIVE Phone 561-7281

Mailing Address NEW WINDSOR, NY 12553

Name of Architect UNKNOWN

Address _____ Phone _____

Name of Contractor UNKNOWN PRESENT WHEN HOUSE PURCHASED

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the EAST side of LAFAYETTE DRIVE
(N,S,E or W)
and APPROX. 600 feet from the intersection of LAFAYETTE DRIVE AND ROUTE 9-W
2. Zone or use district in which premises are situated R-1 Is property a flood zone? Y N X
3. Tax Map Description: Section 48 Block 2 Lot 20
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy SINGLE FAMILY HOME b. Intended use and occupancy N/A
5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☒ Repair ☐ Removal ☐ Demolition ☐ Other ☐
6. Is this a corner lot? YES EXISTING BASEMENT FINISHED
7. Dimensions of entire new construction. Front 45' 6" Rear N/A Depth 45' 6" Height 7' No. of stories 1
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
Number of bedrooms 1 Baths 1 Toilets 1 Heating Plant: Gas X Oil _____
Electric/Hot Air X Hot Water _____ If Garage, number of cars 1
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost UNKNOWN - BUILT Fee \$50.00
BEFORE PURCHASED IN
1987

04, 05, 2000
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

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Alexander D. Marciano
(Signature of Applicant)

53 LAFAYETTE DRIVE, NEW WINDSOR NY 12553
(Address of Applicant)

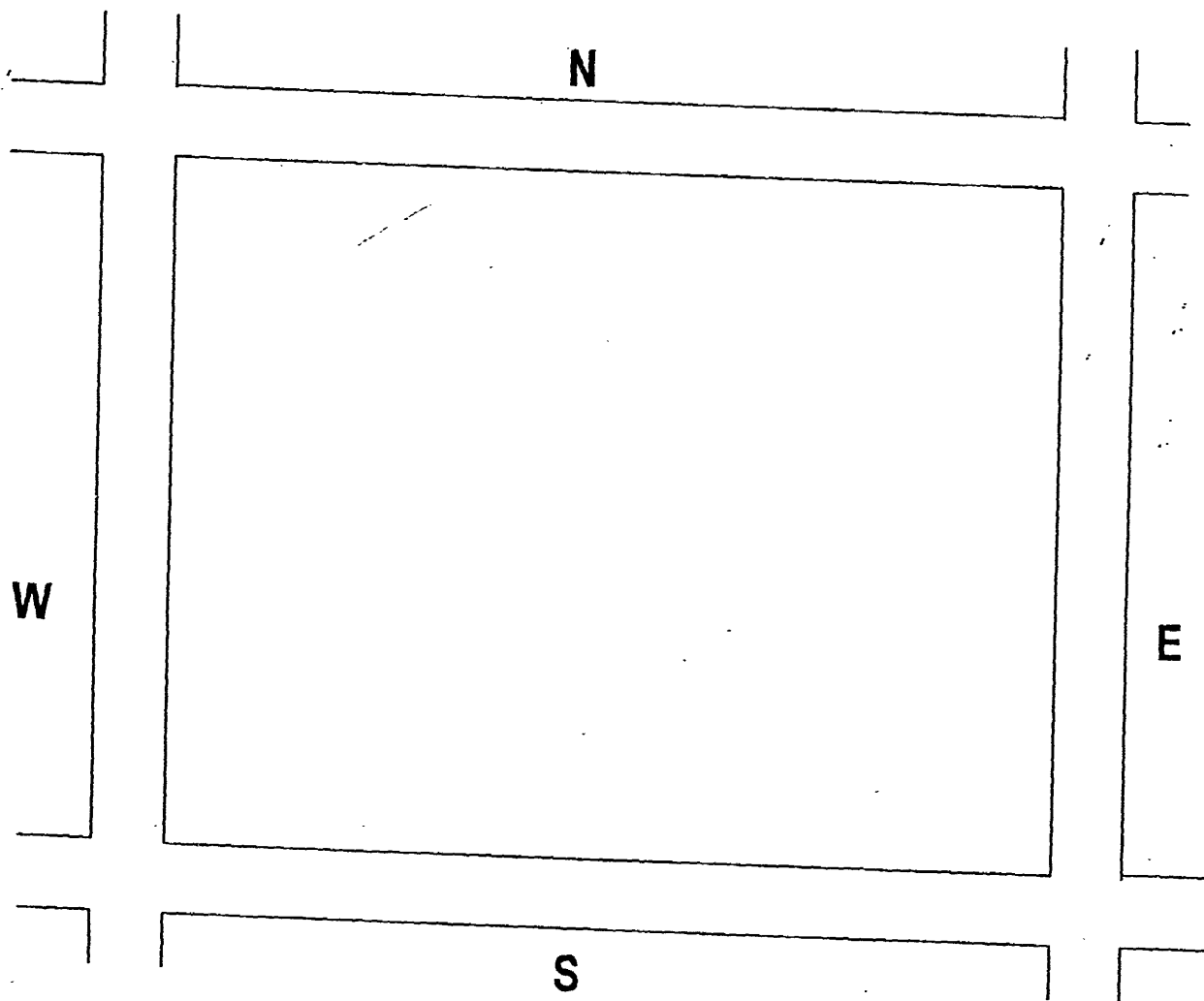
Domingo Marciano
(Owner's Signature)

53 LAFAYETTE DRIVE, NEW WINDSOR NY 12553
(Owner's Address)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

SEE ATTACHED
SKETCH/DRAWING



Pls. publish immediately. Send Bill to: Applicant @ below address.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 18

Request of Domingo Marceno.

for a VARIANCE of the Zoning Local Law to Permit:

Interpretation as to single-family use of residence &
existing deck w/ insufficient front yard,

being a VARIANCE of Section 48-12-Table of Use/Blk. Regs. - Cols. A & E

for property situated as follows:

53 Lafayette Drive, New Windsor, N.Y.

known and designated as tax map Section 48, Blk. 2 Lot 20.

PUBLIC HEARING will take place on the 26th day of June, 19²⁰⁰⁰ at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent
Chairman

By: Patricia A. Corsetti, Secy.





TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

00-18

Date: June 1, 2000

I. ✓ Applicant Information:

- (a) Domingo Marciano 53 Lafayette Dr. New Windsor (914) 561-7281
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- () Use Variance () Sign Variance
- (X) Area Variance (X) Interpretation

III. ✓ Property Information:

- (a) R-5 53 Lafayette Drive 48-2-20 75x150
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NC
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes.
- (d) When was property purchased by present owner? 1987.
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No.
If so, when? _____.
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No.
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A.

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQOR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes No .

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12 Table of use Bulk Regs., Col. E.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd. <u>45 ft.</u>	<u>4 ft. - 6 in.</u>	<u>40 ft. 6"</u>
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

The deck is necessary for safety. It is similar to other decks in the neighborhood. The deck the deck has been in existence for many years, w/o complaint. It would be an expense to demolish & replace the deck.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: *N/A*

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

✓ VII. Interpretation.

(a) Interpretation requested of New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., A Col. A.

(b) Describe in detail the proposal before the Board: *(one-family)*
x whether it is a one or two family house. Applicant maintains it is a one family house - see listing attached here as Exhibit A.

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC
HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF
APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

Original search criteria:
#:273628

C.B. CURRIER & LAZIER REALTORS 914-534-5555 05/22/00 MENA ZAPATA

CNTY : ORANGE TAX#: 334800.048.000-0002-020.000/0000 SINGLE FAMILY RESIDENTIAL #: 273628
ZONE : 4 AREA:*620 PO : NEW.WINDSOR STATUS: IPW
SECT :*048.000 ST# :*53 SDIR: ST:*LAFAYETTE DR ZIP : 12553
BLK :*0002 LOC : SDES: LP:\$ 139000*
LOT :*020.000 RDRF:* 75.00 XST :
ACRE :* .26 DEP :*150.00 STRT: PUBLIC /PAVED ZND:
IRR : N SCH :*CORNWALL
LDESC: LEVEL , , ELM : LEE.ROAD
WTRA : N , , JR : WILLOW.AVENUE.MS LEASE: N
HI : CORNWALL.CENTRAL.HS IMAGE: 1

----- GENERAL INFORMATION -----
STYLE: RANCH
CONST: FRAME
BSMT : Y/FULL , FINISH
#CAR : 1/GARAGE /ATTACH
REM1 : CHARMING & WELL MAINTAINED, NICELY
REM2 : SITUATED ON CORNER LOT POSSIBLE MTHR/
REM3 : DAUGHTER, FURNACE 4 YRS OLD, SEPTIC 6 YRS
REM4 : OLD, DOUBLE INSULATION ABOVE ATTIC
DIR : RT. 9W TO LAFAYETTE, SEE SIGN
#BD:* 3/ 4 #BA: 2,0
DINE : FORMAL ,
DRIVE : BLKTOP ,
SF.FIN:* 1080

----- INTERIOR AND EXTERIOR INFORMATION -----
EQUIP: WASHER, DRYER , RANGE , REFRIG, , , , , ,
INTER: FAN , HWFLRX, W/WCET, , , , , ,
ROOMS:
SQFT1: 1080 SQFT2: ' C ' SQFT3: ' 0 '
EXTER: SCRENX, STORMX, THRMWX, , , , , ,

----- FINANCIAL INFORMATION -----
HEAT : FA FUEL: GAS HTZN: 1 ELEC: CB
WTR : MUNICIP, SWR : SEPTIC, AC : NONE #AC : 0

----- FINANCIAL INFORMATION -----
TAX\$: \$ 3391 INCL: , , TAX.RPT: 09/99 EXEM : N ANN.HOA: \$
HOAINCL: , , , , , ,

--- INFORMATION DEEMED RELIABLE BUT NOT GUARANTEED ---

05/22/00 04:02 PM

Section 48, Block 2, Lot 20

THIS INDENTURE, made the 20 day of November, nineteen hundred and Eighty-Seve
BETWEEN DAVID H. COWAN, JR., residing at 20 Lafayette St.,
Newburgh, New York 12550 and JANET M. COWAN, residing at 8 Harris
Street, Middletown, N.Y. 10940

party of the first part, and DOMINGO MARCANO and ALEJANDRINA MARCANO, husband
and wife, both residing at 49 Benkard Avenue, Newburgh, N.Y. 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situated lying and being in the Town of New Windsor, County of Orange and State of New York and more particularly described on Schedule "A", annexed hereto and made a part hereof.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets, roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

CONVEYANCE OF PART OF LOT 13

AND the party of the first part covenants that the party of the first part has not done or suffered anything which would encumber the premises herein granted in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the second part will receive the consideration for this conveyance and will hold the right to receive such consideration trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same for the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first written.

IN PRESENCE OF:

David H. Cowan Jr.

Janet M. Cowan

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

[Signature]
Notary Public

TODD A. KELSON
Notary Public, State of New York
Qualified in Orange County
No. 4870143
Commission Expires August 11, 1988

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the
of

the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

[Signature]
Notary Public
STATE OF NEW YORK
Qualified in Orange
County New York
MY COMM. EXPIRES
6/30/89

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

CLERK OF THE COUNTY OF ORANGE
MIDDLEBURY, N.Y.
Bargain and Sale Deed
WITH COVENANT AGAINST GRANTOR'S ACTS
Title No. 0-95-1348

DAVID H. COWAN, JR. and
JANET M. COWAN

TO

DOMINGO MARCANO and ALEJANDRINA
MARCANO, husband and wife

SECTION 48
BLOCK 2
LOT 20

~~SECTION 48~~ TOWN of New Windsor

RETURN BY MAIL TO:

Sandra L. Carr, Esq.
427 Little Britain Rd.
P.O. Box 3263
Newburgh, N.Y. 12550
Zip No.

Space for use of Recording Office.

FILED 2837 PG 257

MIDDLE DEPARTMENT INSPECTION AGENCY, INC. Sect 48-2-20

Date May 15, 2000

Certifies that the electrical wiring to the electrical equipment listed below has been examined and is approved as being in accord with the National Electrical Code, applicable governmental, utility and Agency rules in effect on the date noted above and is issued subject to the following conditions.

Owner: Domingo Marciano
Same

Occupancy: Dwelling

Occupant: 53 LaFayette Dr.
New Windsor, N.Y.
Basement

Location: SEE OVER

Applicant: [Domingo Marciano
53 LaFayette
New Windsor, N.Y. 12553]

This certificate applies only to the electrical wiring to the electrical equipment listed below and the installation inspected as the above noted date based on a visual inspection. No warranty is expressed or implied as to the mechanical safety, efficiency or fitness of the equipment for any particular purpose. This certificate shall be valid for a period of one year from the above noted date. Should the electrical system to which this certificate applies be altered in any way, including but not limited to, the introduction of additional electrical equipment and/or the replacement of any of the components installed as of the above noted date, this certificate shall be immediately null and void. This certificate applies only to the use, occupancy and ownership as indicated herein. Upon a change in the use, occupancy or ownership of the property indicated above, this certificate shall be immediately null and void. In the event that this certificate becomes invalid based upon the above conditions, this certificate may be revalidated upon reinspection by Middle Department Inspection Agency, Inc. An application for inspection must be submitted to Middle Department Inspection Agency, Inc. to initiate the inspection and revalidation process. A fee will be charged for this service.

No. 14-91565

An Electrical Survey has been made of the visible portion of electrical equipment in the premises indicated. No obvious unsatisfactory condition was found.

David H. Cowan, Jr. and Janet M. Cowan

TO
Domingo Marcano and Alejandrina Marcano

DLC 24 1980

RECORD AND RETURN TO:
(Name and Address)

Sandra L. Carr, Esq.
427 Little Britain Rd., P.O. Box 3262
Newburgh, N.Y. 12550

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY.

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 066511 DATE 11-20-87 AFFIDAVIT FILED 19

INSTRUMENT TYPE: DEED 1 MORTGAGE SATISFACTION ASSIGNMENT OTHER

BG20 Blooming Grove
CH22 Chester
CO24 Cornwall
CR26 Crawford
DP28 Deerpark
GO30 Goshen
GR32 Greenville
HA34 Hamptonburgh
HI36 Highland
MK38 Minisink
ME40 Monroe
MY42 Montgomery
MH44 Mount Hope
NT46 Newburgh (T)
NW48 New Windsor
TU50 Tuxedo
WL52 Wallkill
WK54 Warwick
WA56 Wawayanda
WO58 Woodbury
MN09 Middletown
NC11 Newburgh
PJ13 Port Jervis
9999 Hold

SERIAL NO.

Mortgage Amount \$

Exempt Yes No

3-6 Cooking Units Yes No

Received Tax on above Mortgage

Basic \$

MTA \$

Spec. Add. \$

TOTAL \$

CHECK ✓ CASH CHARGE

MORTGAGE TAX \$

TRANSFER TAX \$ 392-

RECORD. FEE \$ 14-

REPORT FORMS \$ 5-

CERT. COPIES \$

MARION S. MURPHY
Orange County Clerk

by:

ORANGE COUNTY CLERK'S OFFICE S.S.

Recorded on the 23rd day of

Nov 19 87 at 11:15

O'Clock 12 M. in Liber/Film 2837

Recd at page 254 and examined.

Marion S. Murphy
County Clerk

RECEIVED

\$ 392.00

REAL ESTATE

NOV 23 1987

TRANSFER TAX

ORANGE COUNTY

LFO 2837 PG 254

xx

BEGINNING at a point in the easterly line of a proposed street or roadway to be known as Lafayette Drive, the said roadway being hereinafter described; the said point of beginning being a distance of 200 feet measured on a course south 54 degrees 51 minutes east from a point in the easterly line of Route 9W, which said point in 9W is a distance of 306.2 feet measured southwesterly along the said line of 9W from the northerly line of the land heretofore conveyed by William L. Nicoll and Elizabeth B. Nicoll and Anne Camac Nicoll Wightman to the Andrea Corporation by deed dated December 22, 1950 and recorded in the Orange County Clerk's Office on December 26, 1950 in Liber 1183 of Deeds at page 472; and runs thence from said point of beginning along the easterly line of said Lafayette Drive north 35 degrees 09 minutes east 65 feet to a point of curvature, laid out to widen the approach to a right angle bend in said roadway; thence along said curve with a radius of 10 feet a distance of 15.71 feet measured along the arc of said curve to a point of tangency with the southerly line of Lafayette Drive; thence along said line south 54 degrees 51 minutes east 140 feet to a point; thence south 35 degrees 09 minutes west 75 feet to a point; thence north 54 degrees 51 minutes west 150 feet to the point or place of beginning.

TOGETHER with the right to the use of a roadway, in common with others, which roadway is fifty feet in width, leading from Route 9W to and beyond the above described parcel, the centerline of said roadway being described as follows:

The said centerline of said roadway begins at a point in the easterly line of Route 9W, the said point being a distance of 481.2 feet measured in a southwesterly direction along the easterly line of 9W from the northerly line of said Andrea Corporation line and runs thence south 54 degrees 51 minutes east 175 feet to a point; thence north 35 degrees 09 minutes east 275 feet to a point; thence south 54 degrees 51 minutes east 175 feet to a point. The said roadway embraces a width of 25 feet on each side of the above described centerline.

BEING the same promises described in deed Frances Profaci to Charles H. Bertilina and Hazel M. Bertilina, his wife, dated April 30, 1956 and recorded May 2, 1956 in Liber 1384 of Deeds at page 487 in the Orange County Clerk's Office, the said Charles H. Bertilina having died on May 30, 1971, a resident of the Town of New Windsor, Orange County, New York.

BEING the same premises conveyed in a deed dated February 24, 1984, from Hazel M. Bertilina to David H. Cowan, Jr. and Janet M. Cowan, and recorded in the Orange County Clerk's Office on March 5, 1984 in Liber 2275 of Deeds at Page 316.

Date 5/3/00, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TOFrances Roth..... DR.
168 N. Drury Lane
.....Newburgh, N.Y. 12550.....

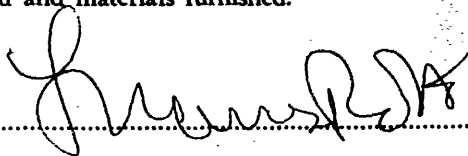
DATE			CLAIMED	ALLOWED
5/2/00		Zoning Board Mtg	75.00	
		Misc - 3		
		Marcano - 7		
		Uojer - 3		
		L.G. Enterprises - 3		
		Bila Partners - 9		
		Deleo - 9		
		Shuman - 2	162.00	
		<u>36</u>	<u>162.00</u>	
			237.00	
		James Nugent		

STATE OF NEW YORK,
TOWN OF NEW WINDSOR

} ss.

I hereby certify, that the items of this account are correct; that the disbursements and services charged therein have in fact been made and rendered, and that no part thereof has been paid or satisfied, that the amount herein mentioned is in full settlement for all services rendered and materials furnished.

Sign Here



No.

Town of New Windsor

Nature

Amount Claimed \$

Amount Allowed \$

Filed

I hereby certify that at a meeting of
said Town Board held at the office of the

Town Clerk on the day

of 19

the within claim was audited and allowed

for the sum of

\$

.....
Clerk

PRELIMINARY MEETING:

MARCANO, DOMINGO

MR. NUGENT: Request for use variance/interpretation of two-family residence in an R-5 zone located at 53 Lafayette Drive in an R-5 zone.

Carol Stone, Esq. appeared before the board for this proposal.

MS. STONE: I'm Carol Garafallo Stone, I'm standing in for Michele Neusch, attorney for the Marcanos. If I may, with respect to the use variance and interpretation of the two-family residence, I would like to point out that there's a, in the basement area which is a walk-in basement, there's a kitchen, bathroom and family room that was constructed in 1987 before my clients bought the home. And it was actually constructed for the purpose of handicap accessible, an elderly woman, relative of the previous owners had lived there, they had a shower that was handicapped accessible and all the accouterments of an area where handicapped person could use it. It's never been used as a two-family house. It was listed for sale as a one-family house. My clients use it for a laundry-family room, an entertainment area for their family and a guest area for when one of their adult sons visits. But it's never been rented as an apartment and never used in the 13 years that they have owned it and even previous owners never used it as a rental apartment.

MS. BARNHART: May I add something, Mr. Chairman, when you announced there was another variance that's also required right, Michael, there's a 40 foot 6 inch front yard variance for an existing deck, it's a front yard.

MR. BABCOCK: Yes, front yard.

MR. TORLEY: It's a corner lot.

MS. STONE: I can address that as well.

(Whereupon, Mr. Krieger entered the room.)

MS. STONE: That part there was a very small deck on the house when my clients bought it in 1987 off the kitchen with a regular door entrance to the deck, if I may approach and show you a recent photograph, do you have this one?

MR. NUGENT: I believe we do.

MS. STONE: That it was off the door, this part with the stairs was the original deck and then this one to the side to the left side was what was added. That addition was added in 1990 by my clients. It was built by a contractor who's now deceased, I think you have the name on the permit application.

MR. NUGENT: Of the lawyer?

MS. STONE: No, of the contractor who extended the deck, if you don't, I have it in my file. You don't have it? Hold on.

MR. KANE: Michael, are they here because it's two front yards?

MR. BABCOCK: That's correct.

MR. KANE: That's the only reason they're here for the deck. We can move over to the use thing right now.

MR. NUGENT: It's not relevant.

MS. STONE: And it was built for \$1,500 and they are across from the hotel and have two neighbors that have had notice of this deck since 1990, appreciate the fact that my clients improved their property, it looks very nice, they've never had a complaint about the deck and has improved the value of all the surrounding properties as well. When my clients listed this property for sale, without the deck, the value of the property is at least \$15,000 lower than it is with the deck and that estimate we have directly from the listing broker. And it would cause an economic hardship to my clients because Mrs. Marcano is disabled from a worker's compensation injury and also receives

SSA and Mr. Marcano has been diagnosed with Parkinson's disease as of two years ago and is retiring in June of this year, due to the Parkinson's disease and the failure to get this variance without this deck, the sale of the property will fall through, the buyers do not want the property without the deck and without the use of it, so my clients would suffer a great economic hardship without this variance.

MR. REIS: May I ask you a question please, your name again?

MS. STONE: Carol Stone.

MR. REIS: Where is this interpretation for a two family, how does this come into play?

MS. STONE: Well--

MR. REIS: Is that required also for the sale of the property?

MS. STONE: No, it's been listed, it was listed in 1987 as a one family and it's listed this time from the real estate as a one family. The way it come into being is the latest tax assessment said that it appeared to be a two family because it had a kitchen, like a little kitchenette and a bathroom, handicapped accessible bathroom on the basement floor in the basement, which is a walk-in basement, so it was never characterized.

MR. KANE: Separate utilities for the bottom portion of the house?

MS. STONE: No.

MR. KANE: Have there ever been?

MS. STONE: No.

MR. TORLEY: They're not asking for it to be two family?

MS. STONE: No, they want to keep it the way it's always been, 13 years they've never rented this area

out as a separate apartment.

MR. KRIEGER: It's a one, they have treated it like a one family home, it's in the neighborhood of one family homes. Other than this tax assessment, they're always assumed it's a one family home, that's the way they're selling it as a one family home?

MS. STONE: Right, they bought it as one family, it's listed as a one family.

MR. KRIEGER: You should understand that the building inspector and tax assessor don't work together. If your complaint is not with the building inspector, your complaint is with the tax assessor and that should, those taxes, that's a matter that should be grieved through the tax assessor. This board has no power to order the tax assessor to do or not do anything, has no power, no power over the tax assessor.

MS. STONE: Well, the question, the original question is how did this issue arise, you know, to begin it didn't arise with the sale.

MR. KANE: They have to be here for a denial, right?

MR. BABCOCK: They're here for the deck, for one thing. What they've done is I don't think this applicant did and that's what they're stating prior to them, they finished this basement, they didn't get a permit to finish the basement, so that's where we came into play, when we did the research with the assessor's office, the assessor's office says it's an illegal two-family house, they converted it and she feels it's two families, so she's really got to discuss in with the assessor's office.

MR. NUGENT: It's not being taxed as a two family?

MR. BABCOCK: Yes.

MS. STONE: Yes, the taxes were increased.

MR. BABCOCK: She has to convince the assessor one way or the other what she could do to make the assessor

change it back to a one-family house, that's what she needs to do. All she needs to do is get a building permit for the work done there, electrical inspection and we'll go and inspect it.

MR. NUGENT: Can we give them a variance for the deck?

MR. BABCOCK: Yes.

MR. KANE: Do we need to make an interpretation that we feel it's a one-family home?

MR. NUGENT: We can do that.

MS. STONE: I think it does because now the issue has been brought up in this forum as well it initiated in the tax assessor's office but it's here as a permit application.

MR. KRIEGER: I'm not sure that a finding here is going, the tax assessor's going to consider it binding.

MR. KANE: I don't mean it in that light, as far as Mike giving them a permit, you'd probably be here anyway under those circumstances.

MR. BABCOCK: That's correct.

MR. KRIEGER: But the difference is as I understand it, there's the deck question and the two family question, right, the deck question being an area variance and the two family being potentially a use variance interpretation and/or use variance. Both area variances I would agree with you, if they were use variances, but they are not, there's one of each and one of the other. I think before she goes to the expense of what's required in a use, to obtain a use variance, they ought to find out with the tax assessor whether or not this board's decision will, the tax assessor will consider binding. Then, if the answer is yes, they may decide to go ahead. If the answer is no, then the options are up to them whether they decide to go ahead here or whether they grieve it through the tax grievance process. Those are controversies that the applicant has to decide.

MR. TORLEY: Mike, if you absent the tax assessor's roll, if you walk, when you walked into this building, would you have, as you have had in the past, been conservative, said that this is a two-family house?

MR. BABCOCK: I think so, I didn't personally go there but I think that's why the issue's here tonight.

MR. TORLEY: Since the applicant is not seeking this to be a two-family house, not asking for that, we need the interpretation at some point during the process, we have to go to the public hearing for the deck anyway during that part of the public hearing, the applicant--

MR. KANE: Actually, for both.

MR. TORLEY: --the applicant can state that this is a one-family house, make the case and if the evidence warrants say this is a one-family house and move on to the deck.

MR. KRIEGER: It's not an interpretation/use variance, it's just an interpretation.

MR. KANE: Look for a use or interpretation.

MR. KRIEGER: Yeah, no, but they are not looking for a use variance cause they don't want to change it, they are looking for an interpretation.

MS. STONE: My clients don't want it to be a two-family house.

MR. TORLEY: In that case, I would move that we set up the applicant for a public hearing on the requested interpretation of the building layout and the required front yard variances for the deck.

MR. KANE: Second it.

ROLL CALL

MR. KANE

AYE

MR. REIS AYE
MR. MCDONALD AYE
MR. TORLEY AYE
MR. NUGENT AYE

MR. NUGENT: You have your paperwork for the public hearing?

MS. STONE: No.

MS. BARNHART: I gave out four sets of paperwork to several different people on this thing.

MS. STONE: Not to Miss Neusch.

MS. BARNHART: Yeah, she was in my office.

MS. STONE: Well, it's not in the file and, you know, we can come back this week and get it.

MR. TORLEY: Come back and get it.

MS. BARNHART: Michele has it, I gave it to her last Friday.

MS. STONE: So the paperwork for the public hearing.

MS. BARNHART: If she doesn't have it, she can call me.

MS. STONE: Thank you.

MR. TORLEY: Anything else you'd like the applicant to bring with her?

MR. KRIEGER: No. There's nothing that I have to bring with them, you might, since she isn't here, you might ask her to review 267 of the Town Law before she comes, 267 small a.

MS. STONE: Does that by any chance set the parameters for a variance?

MR. KRIEGER: Yeah, it's what has to be shown.

MS. STONE: Okay.

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: April 10, 2000

APPLICANT: Domingo Marcano
53 Lafayette Dr
New Windsor, New York 12553

C/O Attorney Michael Hergenhan
37 Westwood Dr
Newburgh, 12550

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Existing 6' Stockade Fence

LOCATED AT: 53 Lafayette Dr

ZONE: R-5

DESCRIPTION OF EXISTING SITE: 48-2-20

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing 6' Stockade Fence installed without a permit projects closer to road than existing house. This is a corner lot.

*fence does not
require variance*

COPY


BUILDING INSPECTOR

PERMITTED 4'

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-5 USE: 48-14-C-(1)-(C)[1]

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:

Building Permit #: 214-2000

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises MARCANO, DOMINGO & ALEJANDRINA

Address 53 LAFAYETTE DRIVE Phone 561 7281

Mailing Address NEW WINDSOR NY 12553

Name of Architect UNKNOWN - N/A

Address _____ Phone _____

Name of Contractor UNKNOWN - N/A - PRESENT WHEN HOUSE PURCHASED IN 1987

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the EAST side of LAFAYETTE ~~STREET~~ DRIVE
(N,S,E or W)
and APPROX. 600 feet from the intersection of LAFAYETTE DRIVE AND RT. 9-W
2. Zone or use district in which premises are situated R-1 Is property a flood zone? Y N X
3. Tax Map Description: Section 48 Block 2 Lot 20
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
- a. Existing use and occupancy SINGLE FAMILY HOME b. Intended use and occupancy N/A
5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒
6. Is this a corner lot? YES EXISTING STOCKADE FENCE
7. Dimensions of entire new construction. Front Rear Depth 75' Height 60' No. of stories 1
8. If dwelling, number of dwelling units: 1 Number of dwelling units on each floor 1
- Number of bedrooms 4 Baths 2 Toilets 2 Heating Plant: Gas X Oil
- Electric/Hot Air X Hot Water If Garage, number of cars 1
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use
10. Estimated cost UNKNOWN - BUILT BEFORE Fee NO FEE
OWNERS PURCHASED IN 1987

PAID

04 / 05 / 2000
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Domingo Mariano
(Signature of Applicant)

53 LaFayette DR. N. Windsor
(Address of Applicant)

X *Domingo Mariano*
(Owner's Signature)

53 LaFayette DR. NY 12553
(Owner's Address)

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

SEE ATTACHMENT
OF
SURVEY

